

To: Paula Maccabee[pmaccabee@justchangelaw.com]
Cc: Hyde, Tinka[hyde.tinka@epa.gov]; Gluckman, Matthew[gluckman.matthew@epa.gov]; Proto, Paul[proto.paul@epa.gov]
From: Swenson, Peter
Sent: Mon 8/4/2014 2:34:31 PM
Subject: RE: Minnesota 2014 Impaired Waters List (CWA Section 303(d))

Hello Paula,

Thank you for your message.

As I believe you are aware, the MPCA submitted a 2014 303(d)/305(b) package to EPA on April 15, 2014. As discussed on MPCA's webpage (<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/impaired-waters-list.html>). As communicated to EPA, MPCA is committed to assessing waters with respect to its sulfate standard that protects water used for production of wild rice, and plans to provide the results of the wild rice sulfate standard assessments and any associated listings and public notice information to EPA in an addendum to the 2014 303(d) Impaired Water List. MPCA has not yet provided public notice of criteria used to determine which waters are waters used for production of wild rice, or of wild rice sulfate assessments for such waters. As a result, EPA has not yet received the wild rice addendum.

EPA is continuing to review of the documents provided by MPCA. In light of the above, however, EPA considers the State's April 15, 2014 submittal to be a partial 303(d) submittal. EPA will complete its review of Minnesota's 303(d) list upon MPCA's submittal of the wild rice addendum.

Peter Swenson (WW-16J)

Chief, Watersheds and Wetlands Branch

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From: Paula Maccabee [mailto:pmaccabee@justchangelaw.com]
Sent: Friday, August 01, 2014 4:03 PM
To: Proto, Paul
Cc: Hyde, Tinka; Gluckman, Matthew; Swenson, Peter
Subject: Re: Minnesota 2014 Impaired Waters List (CWA Section 303(d))

Is there any updated information on the status of Minnesota's impaired waters list, particularly as it pertains to wild rice or mercury impairments.

Best regards,

Paula Maccabee, Esq.

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Advocacy Director/Counsel for WaterLegacy

From: Paul Proto <proto.paul@epa.gov>
Date: Wednesday, May 28, 2014 3:39 PM

To: Paula Maccabee <pmaccabee@justchangelaw.com>
Cc: Tinka Hyde <Hyde.Tinka@epa.gov>, "Gluckman, Matthew" <gluckman.matthew@epa.gov>, "Swenson, Peter" <swenson.peter@epa.gov>
Subject: RE: Minnesota 2014 Impaired Waters List (CWA Section 303(d))

Hi Paula,

Thank you for your letter regarding Minnesota's 2014 Impaired Waters List. I can confirm that EPA has received your letter dated 5/28/14 and supporting documentation (3 pdf documents and 1 spreadsheet).

EPA will be sending a formal response letter to you in the next few days. This letter will provide information answering your question on the timeframe for EPA's response to the April 15, 2014 303(d) submittal package from MPCA.

I haven't had the chance to look through all of your attachments, but if I have any questions on the attached documentation, I will get back in touch with you. Thank you for the offer to answer my questions on the attached documents, I appreciate it.

Have a nice afternoon.

Paul

Paul Proto | Environmental Scientist | U.S. EPA, Region 5, Water Division, Watersheds & Wetlands Branch

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From: Paula Maccabee [<mailto:pmaccabee@justchangelaw.com>]
Sent: Wednesday, May 28, 2014 2:48 PM
To: Hyde, Tinka; Proto, Paul
Subject: Minnesota 2014 Impaired Waters List (CWA Section 303(d))

Dear Ms. Hyde, Mr. Proto:

Attached with this email, please find a letter on behalf of WaterLegacy regarding the Minnesota 2014 Impaired Waters List with the following attachments: WaterLegacy Comment Letter of February 10, 2014, Exhibit A and Exhibit C to that Comment Letter, Exhibit D, a spreadsheet of data from the Minnesota Department of Natural Resources MWRAP research project providing mercury data for the Embarrass River and the Partridge River.

Please let me know when you receive these materials and the approximate timeframe within which the EPA is likely to respond to the current version of Minnesota's proposed 2014 Impaired Waters List. Please also let me know if you have questions about any of our comments or attachments.

Sincerely yours,

Paula Maccabee, Esq.

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